IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re application of	Docket No: Q62966
Kazunori UKIGAWA, et al.	
Appln. No.: 09/775,591	Group Art Unit: 3693
Confirmation No.: 9264	Examiner: Jason M. BORLINGHAUS
Filed: February 5, 2001	

For: ACCOUNT SETTLEMENT METHOD IN ONLINE SHOPPING

RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF

MAIL STOP APPEAL BRIEF - PATENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Non-Compliant Appeal Brief dated July 28, 2008, Applicant submits herewith a Corrected Amendment under 37 C.F.R. § 1.111 in which the drawings are corrected. Entry and consideration are respectfully requested.
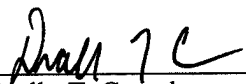
Respectfully submitted,

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Date: September 29, 2008

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For: ACCOUNT SETTLEMENT METHOD IN ONLINE SHOPPING

APPEAL BRIEF UNDER 37 C.F.R. § 41.37

MAIL STOP APPEAL BRIEF - PATENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the provisions of 37 C.F.R. § 41.37, Appellants submit the following:

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I.   REAL PARTY IN INTEREST

Based on the information supplied by the Appellants, and to the best of Appellants' legal representatives' knowledge, the real party in interest is the assignee, JUSTSYSTEM CORPORATION.

II.   RELATED APPEALS AND INTERFERENCES

Appellants, as well as Appellants' assigns and legal representatives, are unaware of any

appeals or interferences which will be directly affected by, or which directly affect or have a

bearing on, the Board's decision in the pending case.

III.   STATUS OF CLAIMS

Claims 1-24 are all the claims pending in the present application. Claims 3, 4, 14, 15, 17,

21, and 24 are withdrawn from consideration. Claims 1, 2, 5-13, 16, 18-20, and 22-23 have been

finally rejected, and are the subject of this appeal. The pending claims are set forth in the

Appendix.

IV.   STATUS OF AMENDMENTS

Appellants filed an Amendment on August 24, 2006, subsequent to the Final Office

Action dated May 24, 2006. In the Advisory Action dated October 12, 2006, the Examiner

indicated that the August 24th Amendment was entered.

V.   SUMMARY OF THE CLAIMED SUBJECT MATTER

An exemplary embodiment of the present invention relates to an online shopping system. *See, e.g., claim 1.* The online shopping system includes a user device (*see, e.g., Fig. 1A, user terminal 1, page 22, lines 13-20*), which is connected onto the Internet and reads a merchant site (*see, e.g., Fig. 1A, merchant site 3, page 22, lines 13-20*) on the Internet; an agent device (*see, e.g., Fig. 1A, agent server 2, page 22, lines 13-20*), which is connected to the user device and the merchant site, and is operative to relay a purchase instruction from the user device to the merchant site; and a settlement device (*see, e.g., Fig 1A, server 4, page 22, lines 13-20*), which is connected to the agent device, and settles an account for a product purchased in accordance with the purchase instruction sent from the user device. The user device can include purchase-instruction inputting means (*see, e.g., Fig. 2, input device 13, page 23, line 18 - page 24, line 14*) for inputting an instruction for purchasing a product on sale in the merchant site, and a first purchase-instruction sending means (*see, e.g., Fig. 2, communication device 15, page 23, line 18 - page 24, line 14*) for sending user **ID (identification) information**, as a first purchase instruction, together with information regarding product input by the purchase-instruction inputting means to the agent device (*see, e.g., Fig. 2 and corresponding portion of specification at page 23, line 18 - page 25, line 13; Fig. 6 and corresponding portion of specification at page 29*).

The online shopping system, according to an exemplary embodiment of the present invention, can include in the agent device several components, including: user-information storage means (*e.g., Fig. 4, memory 22, page 25, line 14 - page 26, line 7*) for storing the user

ID information, user information regarding the user, and information regarding settlement

means held by the user, in association with each other; purchase-instruction receiving means

(*e.g., Fig. 4, communication device 23, page 25, line 14 - page 26, line 7*) for receiving the first

purchase instruction sent from the first purchase instruction sending means; user-information

extraction means (*e.g., Fig. 4, CPU 21, page 25, line 14 - page 26, line 7*) for searching the user-

information storage means for user information based on the user **ID information**, which is

included in the first purchase-instruction, and extracting corresponding information regarding the

user and corresponding information regarding the settlement means, when the purchase--

instruction receiving means receives the first purchase instruction; second purchase-instruction

sending means (*e.g., Fig. 4, communication device 23, page 25, line 14 - page 26, line 7*) for

sending, as a second purchase instruction, information regarding the product and being included

in the first purchase instruction received by the purchase-instruction receiving means, and

information regarding the user and being extracted by the user-information extraction means, to

the merchant site; and settlement requesting means (e.g., *Fig. 4, CPU 21, page 25, line 14 -

page 26, line 7*) for requesting the settlement device for settling an account for the purchased

product, based on the information regarding the product and being included in the first purchase

instruction received by the purchase-instruction receiving means and the information regarding

the settlement means of the user and being extracted by the user-information extraction means

(*see, e.g., Figs. 4 and 7, and corresponding portions of specification at page 25, line 14 - page

26, line 7 and page 30, line 13 - page 32, line 19*).

Another exemplary embodiment of the present invention relates to an online shopping

method for a user of a user device to purchase a product on sale in a merchant site, in an online

shopping system (*see, e.g., Fig. 1A*). The online shopping method includes: reading, at the user device which is connected to the Internet, a merchant site on the Internet (*see, e.g., Fig. 8A, arrow leaving user terminal 1 pointing to agent server 2, page 34, lines 19-25*); replaying and sending, at an agent device connected to the user device and the merchant site, a purchase instruction sent from the user device to the merchant site (*see, e.g., Fig. 8A, arrow leaving agent server 2 pointing to merchant site 3, page 36, lines 15-16*); settling, at a settlement device connected to the agent device, an account for a product purchased in accordance with the purchase instruction from the user device (*see, e.g., server of company "A" 40a, page 35, lines 4-14*); pre-registering user **ID information**, information regarding the user, and information regarding settlement means held by the user, in association with each other in a database of the agent device (*see, e.g., page 27, lines 8-19*); inputting an instruction for purchasing a product on sale in the shopping site which is read by the user device (*see, e.g., paragraph bridging pages 28 and 29*); sending, as a first purchase instruction, the user **ID information** together with information regarding the input product from the user device to the agent device; searching the database for user information based on the user **ID information**, which is included in the first purchase instruction, and extracting corresponding information regarding the user and corresponding information regarding the settlement means, as performed by the agent device which has received the first purchase instruction (*see, e.g., page 30, line 13 - page 34, line 7*); sending, as a second purchase instruction, information regarding the user and being extracted from the database from the agent device to the merchant site, together with information regarding the input product (*see, e.g., Fig. 7, S24-S27*); and requesting, from the agent device, the settlement device for settling the account for the input product, based on information

regarding the settlement means of the user and being extracted from the database (*see, e.g., Fig. 7, S29*). *See, e.g., claim 6.*

The above-summarized exemplary embodiments of the present invention reflect the features of independent claims 1 and 6, which are rejected over the combination of Koreeda and O'Leary. The claimed subject matter of independent claims 12, 13, 16, 20, and 23, which are also rejected over the combination of Koreeda and O'Leary, is substantially reflected in the summary of the claimed subject matter set forth below.

Another exemplary embodiment of the present invention is related to an agent device which is connected to a user device for browsing a merchant site served up on Internet, the merchant site, and a settlement device for settling an account for a product purchased in accordance with a purchase instruction from the user device (*see, e.g., claim 12*). The agent device can include: user-information storage means for storing ID information of a user using the user device, information regarding the user, and information regarding settlement means held by the user, in association with each other (*e.g., Fig. 4, memory 22, page 25, line 14 - page 26, line 7*); purchase-instruction receiving means for receiving, as a first purchase instruction, from the user device, information regarding the product to be purchased by the user on sale in the merchant site and the ID information of the user (*e.g., Fig. 4, communication device 23, page 25, line 14 - page 26, line 7*); user-information extraction means for searching the user-information storage means for use information based on the ID information included in the first purchase instruction, and extracting corresponding information regarding the user and corresponding information regarding settlement means (*e.g., Fig. 4, CPU 21, page 25, line 14 - page 26, line 7*); inquiry means for inquiring of the settlement device whether the settlement means is valid,

based on the infouuiation regarding the settlement means and being extracted by the user-information extraction means (*see, e.g., Figs. 4 and 7, and corresponding portions of specification at page 25, line 14 - page 26, line 7 and page 30, line 13 - page 32, line 19*); purchase-instruction sending means for sending, as a second purchase instruction, to the merchant site, the information regarding the user and being extracted by the user-information extraction means and information representing that inquiring is performed by the inquiry means, together with the information regarding the product and being included in the first purchase instruction received by the purchase instruction receiving means (*e.g., Fig. 4, communication device 23, page 25, line 14 - page 26, line 7*); and settlement requesting means for requesting the settlement device for setting a bill for a purchased product, based on the information regarding a product and being included in the second purchase instruction received by the purchase-instruction receiving means and the information regarding the settlement means and being extracted by the user-information extraction means (*e.g., Fig. 4, CPU 21, page 25, line 14 – page 26, line 7*).

Another exemplary embodiment of the present invention is directed to an agent device (*see e.g., claim 13*). The agent device can include: a memory for storing a program (*e.g., Fig. 4, memory 22, page 25, line 14 - page 26, line 7*); a processor for executing the program (*e.g., Fig. 4, CPU 21*); a communications device for transmitting/receiving information with a merchant site served up on Internet, a user device used by a user purchasing a product on sale online in the merchant site, and a settlement device for settling an account for a product purchased in accordance with a purchase instruction from the user device (*e.g., Fig. 4, communication device 23, page 25, line 14 - page 26, line 7*); and a database for registering ID informationof the user

using the user device, information regarding the user, and information regarding settlement

means held by the user (*e.g., Fig. 4, database 26)*, and wherein the processor executes the

program stored in the memory, thereby: controlling the communications device to receive, as a

first purchase instruction from the user device, the ID information of the user together with

information regarding a product to be purchased by the user on sale in the merchant site (*see,*

e.g., Figs. 4 and 7, and corresponding portions of specification at page 25, line 14 - page 26,

line 7 and page 30, line 13 - page 32, line 19); searching the database for user information based

on the ID information included in the first purchase instruction received by the communications

device, and extracting corresponding information regarding the user and corresponding

information regarding settlement means; controlling the communications device to inquire of the

settlement device whether the settlement means is valid, based on the information regarding the

settlement means and being extracted from the database (*see, e.g., Figs. 4 and 7, and*

corresponding portions of specification at page 25, line 14 - page 26, line 7 and page 30, line 13

- page 32, line 19); controlling the communications device to send, as a second purchase

instruction, the information regarding the user and being extracted from the database and

information representing that the settlement means is inquired, together with the information

regarding the product and being included in the first purchase instruction received by the

communications device to the merchant site (*see, e.g., Figs. 4 and 7, and corresponding portions*

of specification at page 25, line 14 - page 26, line 7 and page 30, line 13 - page 32, line 19); and

controlling the communications device to request the settlement device for settling an account

for a purchased product included in the first purchase instruction received by the

communications device, based on the information regarding the settlement means of the user and

being extracted from the database (*see, e.g., Figs. 4 and 7, and corresponding portions of specification at page 25, line 14 - page 26, line 7 and page 30, line 13 - page 32, line 19*).

Yet another exemplary embodiment of the present invention is directed to a method executed in a computer device (*see, e.g., claim 16*), which is connected to a user device for reading a merchant site served up on Internet, the merchant site, and a settlement device for settling an account for a product purchased in accordance with a purchase instruction from the user device. The method includes: a step of pre-registering ID information of a user using the user device, user information regarding the user, and information regarding settlement means held by the user (*see, e.g., page 25, line 14 – page 26, line 7*); a step of receiving, as a first purchase instruction, ID information of the user together with information regarding a product to be purchased by the user on sale in the merchant site, from the user device (*see, e.g., Fig. 2, page 23, line 18 - page 24, line 14*); a step of searching the database based on the ID information included in the received first purchase instruction, and extracting corresponding information regarding the user and corresponding information regarding the settlement means (*e.g., page 25, line 14 – page 26, line 7*); a step of inquiring of the settlement device whether the settlement means is valid, based on the information regarding the settlement means of the user and being extracted from the database (*e.g., page 31, lines 6-12*); a step of sending, as a second purchase instruction, the information regarding the user and being extracted from the database and information representing that the settlement means is inquired, together with the information regarding the product and being included in the received first purchase instruction, to the merchant site (*e.g., page 25, line 14 – page 26, line 7*); and a step of requesting the settlement device for settling an account for the purchased product included in the received purchase

instruction, based on the information regarding the settlement means of the user and being

extracted from the database (*e.g., page 25, line 14 – page 26, line 7*).

Yet another embodiment of the present invention relates to a computer readable recording

medium recording a program making a computer device (*see, e.g., claim 20*), connected to a user

device for browsing a merchant site served up on Internet, the merchant site, and a settlement

device for settling an account for a product purchased in accordance with a purchase instruction

from the user device, function as: user-information storage means for storing ID information of a

user using the user device, user information of the user, and information regarding settlement

means held by the user, in association with each other (*e.g., Fig. 4, memory 22, page 25, line 14

- page 26, line 7*); purchase-instruction receiving means for receiving, as a first purchase

instruction from the user device, the ID information of the user, together with information

regarding a product to be purchased by the user on sale in the merchant site (*e.g., Fig. 4,

communication device 23, page 25, line 14 - page 26, line 7*); user-information extraction means

for searching the user-information storage means for the user information based on the ID

information included in the first purchase instruction, and extracting corresponding information

regarding the user and corresponding information regarding settlement means, when the

purchase-instruction receiving means receives a first purchase instruction (*e.g., Fig. 4, CPU 21,

page 25, line 14 - page 26, line 7*); inquiry means for inquiring of the settlement device whether

the settlement means is valid, based on the information regarding the settlement means of the

user and being extracted by the user-information extraction means (*e.g., Fig. 4, CPU 21, page

25, line 14 - page 26, line 7*); purchase-instruction sending means for sending, as a second

purchase instruction, the information regarding the user and being extracted by the user-

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information extraction means and information representing that inquiring is performed by the

inquiry means, together with the information regarding the product included in the first purchase

instruction received by the purchase-instruction receiving means, to the merchant site; and

settlement requesting means for requesting the settlement device for settling an account for a

product, based on the information regarding the product and being included in the second

purchase instruction received by the purchase-instruction receiving means, and the information

regarding the settlement means of the user and being extracted by the user- information

extraction means (*e.g., Fig. 4, CPU 21*).

Yet another exemplary embodiment of the present invention relates to a program data

signal embodied in a carrier wave and transmitted through a communication path, the signal

making a computer device (*see, e.g., claim 23*), which is connected to a user device for browsing

a merchant site served up on Internet, the merchant site, and a settlement device for settling an

account for a product purchased in accordance with a purchase instruction from the user device,

function as: user-information storage means for storing ID information of a user using the user

device, user information of the user, and information regarding settlement means held by the

user, in association with each other (*e.g., Fig. 4, memory 22, page 25, line 14 - page 26, line 7*);

purchase-instruction receiving means for receiving, as a first purchase instruction, the ID

information of the user together with information regarding a product to be purchased by a user

on sale in the merchant site, from the user device (*e.g., Fig. 4, communication device 23, page

25, line 14 - page 26, line 7*); user-information extraction means for searching the user-

information storage means for user information based on the ID information included in the first

purchase instruction, and extracting corresponding information regarding the user and

information regarding the settlement means, when the purchase-instruction receiving means

receives the first purchase instruction (*e.g., Fig. 4, CPU 21, page 25, line 14 - page 26, line 7*);

inquiry means for inquiring of the settlement device whether the settlement means is valid, based

on information regarding settlement means of the user extracted by the user-information

extraction means (*e.g., Fig. 4, CPU 21, page 25, line 14 - page 26, line 7*); purchase-instruction

sending means for sending, as a second purchase instruction, the infoiiuation regarding the user

and being extracted by the user-information extraction means and information representing that

inquiring is performed by the inquiry means, to the merchant site; and settlement requesting,

means for requesting the settlement device for settling an account for a purchased product, based

on the information regarding the product and being included in the second purchase instruction

received by the purchase-instruction receiving means and the information regarding settlement

means of the user extracted by the user-information extraction means (*e.g., Fig. 4, CPU 21*).

Yet another exemplary embodiment of the present invention relates to a user device

which is connected to Internet, browses a merchant site on the Internet, and sends an instruction

for purchasing a product on sale in the merchant site *(see, e.g., claim 7)*. The user device can

include purchase-instruction inputting means (*see, e.g., Fig. 2, input device 13*) for inputting a

purchase instruction of a product on sale in the browsed merchant site; product-information

extraction means (*see, e.g., Fig. 2, CPU 11*) for extracting information regarding a product to be

purchased from contents of the browsed merchant site and information regarding specified

settlement means; and purchase-instruction sending means (*see, e.g., Fig. 2, communication*

device 15) for sending, as a purchase instruction, the information regarding the product and being

extracted by the product-information extraction means and the information regarding the

settlement means, together with user **ID information**, to an agent device which is prepared

separately from the merchant site and intermediates in a purchase process between the merchant

site and the user device.

The above-summarized exemplary embodiment of the present invention reflects the

features of independent claim 7, which is rejected over the combination of Koreeda, Dogac, and

Davis. The claimed subject matter of independent claims 10, 11, 18, and 22, which are also

rejected over the combination of Koreeda, Dogac, and Davis, is substantially reflected in the

summary of the claimed subject matter set forth below.

Yet another exemplary embodiment of the present invention relates to a user device

including a memory for storing a program (*see e.g., claim 10*), a processor for executing the

program (*see, e.g., CPU 11*), an input device for inputting an instruction of a user (*see, e.g., Fig.*

2, input device 13), a display device for displaying information (*e.g., Fig. 2, display device 14*),

and a communications device (*e.g., Fig. 2, communication device 15*) for transmitting/receiving

information with a merchant site served up on Internet, wherein the processor executes the

program stored in the memory (*page 23, line 18 – page 25, line 13*), thereby: accessing the

merchant site from the communications device, and controlling the communications device to

receive contents of the merchant site; displaying the contents of the merchant site which are

received by the communications device on the display device; permitting the user to input an

instruction for purchasing a product on sale in the contents of the merchant site which are

displayed on the display device; extracting information regarding the product to be purchased

from the contents of the merchant site displayed on the display device and information regarding

specified settlement means; and controlling the communications device to send, as a purchase

instruction, the extracted information regarding the product and the information regarding the settlement means, together with ID information of the user to an agent device, which is prepared separately from the merchant site and intermediates in a product purchase process between the user device and the merchant site (*e.g., page 30, line 13 – page 34, line 7*).

Yet another exemplary embodiment of the present invention relates to a method for browsing a merchant site served up on Internet using a computer device (*see e.g., claim 11*), and for sending an instruction for purchasing a product on sale in the browsed merchant site, the method comprising: a step of inputting an instruction for purchasing the product on sale in the browsed merchant site (*see, e.g., Fig. 2, input device 13, page 23, line 18 - page 24, line 14*); a step of extracting information regarding the product to be purchased in the browsed merchant site and information regarding specified settlement means, when the instruction is input; and a step of sending, as a purchase instruction, the extracted information regarding the product and the information regarding the settlement means, together with ID information of a user, to an agent device which is prepared separately from the merchant site and intermediates in a purchase process between the computer device and the merchant site (*see, e.g., Fig. 2, communication device 15, page 23, line 18 - page 24, line 14*).

Yet another exemplary embodiment of the present invention relates to a computer readable recording medium recording a program making a computer device (*see e.g., claim 18*), which is connected onto Internet and capable of browsing a merchant site served up the Internet, function as: purchase-instruction inputting means for inputting an instruction for purchasing a product on sale in the browsed merchant site (*see, e.g., Fig. 2, input device 13, page 23, line 18 - page 24, line 14*); product-information extraction means for extracting information regarding a

product to be purchased and information regarding specified settlement means from contents of the browsed merchant site, when the instruction is input from the purchase-instruction inputting means (*see, e.g., CPU 11*); and purchase-instruction sending means for sending, as a purchase instruction, the information regarding the product and being extracted by the product-information extraction means and the information regarding the settlement means, together with ID information of a user, to an agent device, which is prepared separately from the merchant site and intermediates in a purchase process between the user and the merchant site (*see, e.g., Fig. 2, communication device 15, page 23, line 18 - page 24, line 14*).

Yet another exemplary embodiment of the present invention relates to a program data signal embodied in a carrier wave and transmitted through a communications path (*see, e.g., claim 22*), the signal making a computer device, which is connected to Internet and can browse a merchant site served up on Internet, function as: purchase-instruction inputting means for inputting an instruction for purchasing a product on sale in the browsed merchant site (*see, e.g., Fig. 2, input device 13, page 23, line 18 - page 24, line 14*); product-information extraction means for extracting information regarding a product to be purchased and information regarding specified settlement means from contents of the browsed merchant site (*see, e.g., CPU 11*); and purchase-instruction sending means for sending, as a purchase instruction, the information regarding the product and being extracted by the product information extraction means and the information regarding the settlement means, together with ID information of a corresponding user to an agent device which is prepared separately from the merchant site and intermediates in a purchase process between the user and the merchant site (*see, e.g., Fig. 2, communication device 15, page 23, line 18 - page 24, line 14*).

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Summaries for claims 3, 4, 14, 15, 17, 21, and 24 are not included above as these claims have been withdrawn from consideration.

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

1. Claims 1, 2, 5, 6, 12, 13, 16, 20, and 23 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Koreeda (US Patent No. 5,890,137) in view of O'Leary (US Patent No. 6,609,113).

2. Claims 7, 9-11, 18, and 22 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Koreeda in view of Dogac (Dogac, Asusman, Ozsu, M. Tamer & Ulusoy, Ozjur. Current Trends in Data Management Technology. Idea Group Publishing,, Hershey, PA. 1999. pp. 41-42) and Davis (Davis, Steven. Pragmatics: A Reader. Oxford University Press. New York, New York. 1991. pp. 217-219).

3. Claims 8 and 19 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Koreeda, Dogac, and Davis, and in further view of Lomax (Lomax, Paul. *Learning VBScript*. O'Reilly & Associates, Inc. Sebastopol, California. 1997. pp. 457-459).

VII.   ARGUMENT

A.   *Koreeda in combination with O'Leary does not render claims 1, 2, 5, 6, 12, 13, 16, 20, and 23 unpatentable under 35 U.S.C. § 103(a).*

Appellants submit that independent claim 1 is patentable for at least two reasons. First, Appellants submit that the structural differences between the systems disclosed in the two applied references, Koreeda and O'Leary, would have prevented their combination. Second, the systems disclosed in Koreeda and O'Leary, even if combined, would not have resulted in the claimed invention Third, the absence of ID information in the manner claimed precludes a *prima facie* case of obviousness. In short, the prior art does not teach each and every one of the following claimed elements of the agent device, including:

- user-information storage means for storing the user ID information, user information regarding the user, and information regarding settlement means held by the user, all in association with each other,

- user-information extraction means for searching said user-information storage means for user information based on the user ID informationthat is included in the first purchase-instruction, and extracting corresponding information regarding the user and corresponding information regarding the settlement means, when said purchase instruction receiving means receives the first purchase instruction,

- second purchase-instruction sending means for sending, as a second purchase instruction, information regarding the product and being included in the first purchase instruction received by said purchase-instruction receiving means, and

information regarding the user and being extracted by said user-information

extraction means, to the merchant site, and

- settlement requesting means for requesting said settlement device for settling an

  account for the purchased product, based on the information regarding the product

  and being included in the first purchase instruction received by said purchase-

  instruction receiving means and the information regarding the settlement means of

  the user and being extracted by said user-information extraction means.

A1. Structural Differences Between Koreeda and O'Leary Prevent Their Combination.

As a preliminary matter, Appellants set forth below a brief description of the applied

references, and a summary of the Examiner's rejection.

Brief Description of the References

Koreeda

Koreeda is directed to an on-line shopping system, wherein users can shop using the

Internet (see Abstract). In Koreeda, users employ a user system 5 to connect to shopping malls

3a, 3b, and 3c (Fig. 1) via the Internet or some other computer network 4, as illustrated in Fig. 1,

reproduced below.   The user system 5 can connect to one or more shopping malls via the

computer network 4, and submit an order for a product from one of the shopping malls (see col.

5, lines 43-48). However, the settlement of payment for the product to be purchased requires the

use of a separate settlement network 6 (see col. 5, lines 48-50). The settlement network 6

connects a user system 5 with a service center 7. The service center 7 receives the combination

21 of order data for the product, personal data, and payment settlement data from a user system

5 (see col. 5, lines 50-55). The service center 7 sends the payment settlement data concerning

the payment to an approval center 13, for example, a credit card company (see col. 5, lines 53-

55). When an approval has been given by the approval center 13, the service center 7 sends the

product data and personal data 22 for the product delivery to the pertinent store, or shop system

2a, 2b, or 2c (corresponding to shopping malls 3a, 3b, and 3c). At each shop system 2a through

2c, delivery 23 of the ordered product to the user is performed in accordance with the product

data and personal data 22 received from the service center 7 (see col. 6, lines 3-19). Notably, in

Koreeda, two separate systems (4 and 6) are required. Also, there is no user ID information, as a

data separate from personal data, sent from the user system 5 to the service center 7. Further,

there is no centralized storage of user data, settlement data and ID information at the service

center 7 for plural users. All such data is stored remotely and individually at each user system 5.

SYSTEM CONFIGURATION OF ONLINE SHOPPING SYSTEM
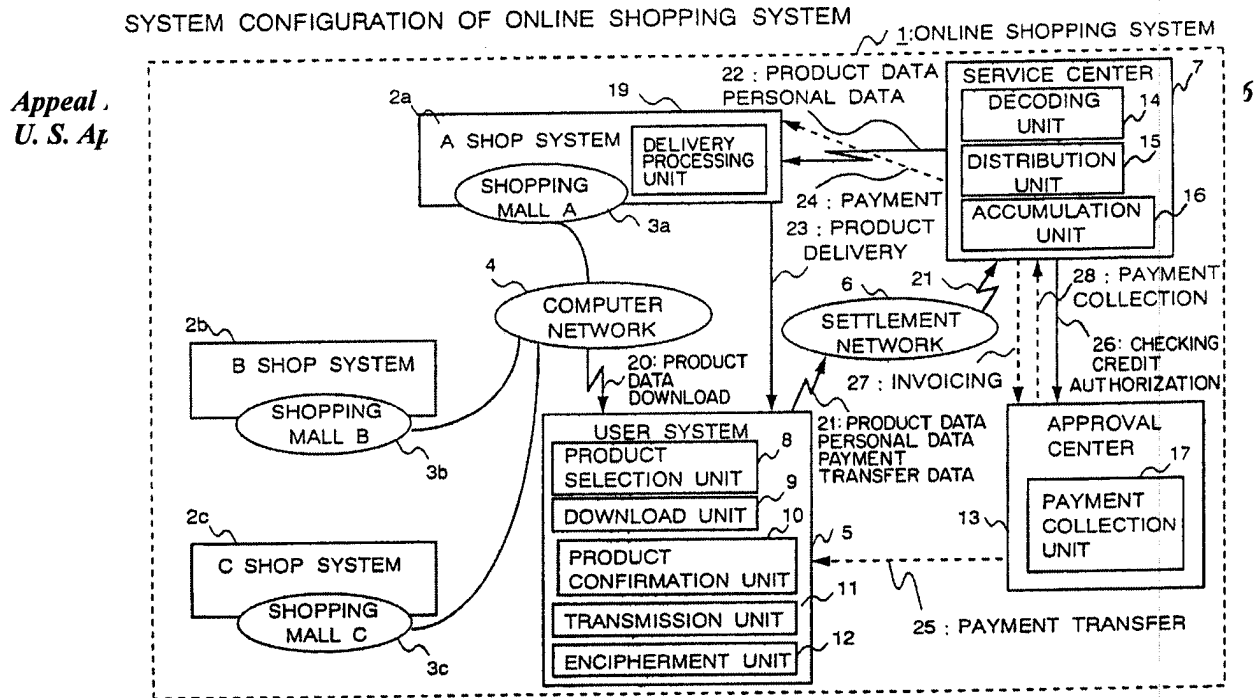
O'Leary

The system disclosed by O'Leary, however, operates differently to that of Koreeda and has a different focus. O'Leary is directed to a paradigm for effectuating electronic payments, which provides a safe and secure method that allows users (consumers) to shop on the Internet, pay bills, and pay anyone virtually anywhere, all without the consumer having to share account number information with the payee (see col. 4, lines 38-53). According to the method of O'Leary, the buyer can avoid providing its confidential financial information to strangers over the Internet. Rather, the buyer is dealing directly with its own trusted institution. Furthermore, no preexisting relationship has to exist between a customer and a merchant. In O'Leary, when a user at a workstation 200 (Fig. 2,reproduced below)) launches a browser 210 and seeks to make a purchase using on-line shopping, a PPP enhanced wallet 215 can be used. The PPP enhanced wallet can be used to effectuate a purchase, initiate the payment through a payment authorization to the consumer's bank 220, verify the accuracy of the merchant's payee

information (identification of the merchant's account 235 at the merchants bank 275), generate a

purchase confirmation 244 that is transmitted to the merchant website 255, and generate a receipt

that can be stored at the server hosting the PPP enhanced wallet 215 or the user's storage (see

col. 10, lines 14-35). In other words, O'Leary can provide a user with real time purchase and

payment ability when the user is attempting to make a purchase via a merchant website. Thus,

the wallet 215 primarily acts as a portal between a workstation 200 and a merchant site to

initiate and complete payment for a purchase. The PPP enhanced wallet has a personal data

storage and form filling capability. As with Koreeda, there is no disclosure that a user sends a

purchase instruction with user ID information, purchase instruction and information regarding

the product from the user work station 200 to the wallet 215. Also, there is no disclosure that the

wallet stores user information and settlement means information in association with user ID

information. .

O'Leary – FIG. 2

FIG. 2
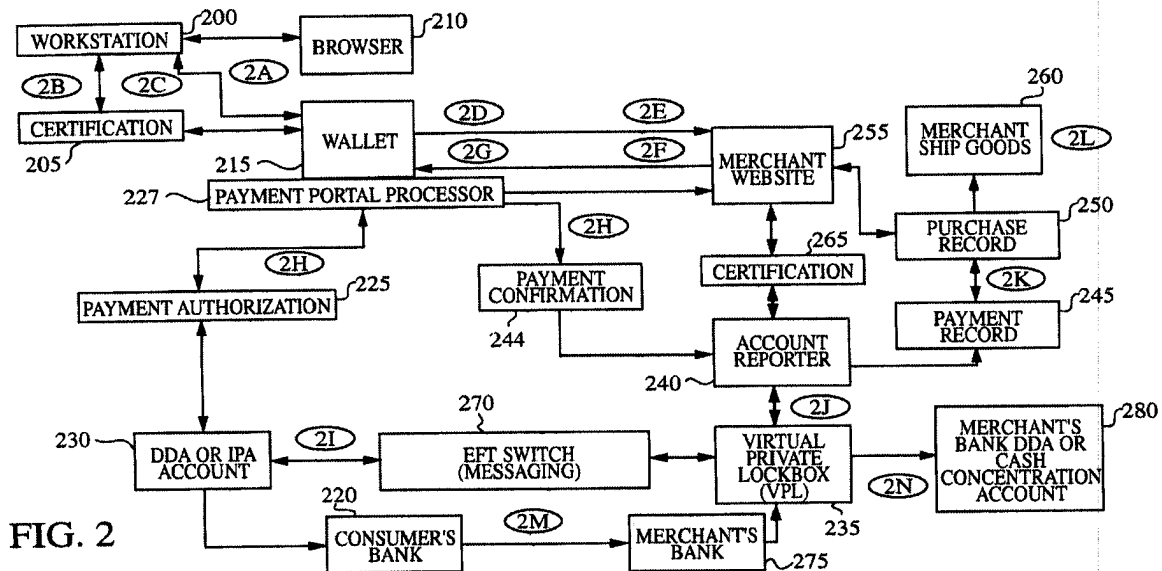
In the Office Action dated May 24, 2006, the Examiner alleges that the service center 7 of Koreeda satisfies some of the claimed elements of the claimed agent device, however, consistent with the foregoing summary, the Examiner admits that Koreeda does not disclose the following elements of an agent device:

- user-information storage means for storing the user ID information, user information regarding the user, and information regarding settlement means held by the user, in association with each other;

- user information extraction means for searching said user-information storage means for user information based on the user ID information which is included in the first purchase-instruction, and extracting corresponding information regarding the user and corresponding information regarding the settlement means, when said purchase-instruction receiving means receives the first purchase instruction;

- second purchase-instruction sending means for sending, as a second purchase instruction, information regarding the product and being included in the first purchase-instruction received by said instruction receiving means, and information regarding the user and being extracted by said user-information extraction means, to the merchant site; and

- settlement requesting means for requesting said settlement device for settling an account for the purchased product, based on the information regarding the product and being included in the instruction received by said purchase-instruction receiving

means and the information regarding the settlement means of the user and being

extracted by said user-information extraction means.

The Examiner, however, believes that O'Leary makes up for the deficiencies of Koreeda,

and alleges that the wallet 215 of O'Leary satisfies the claimed agent device as well as the

above-bulleted elements of the agent device.

Appellants respectfully submit that the two references are not combinable because of

incompatibilities and fundamental differences in architecture and, even if combined, fail to teach

all of the limitations of the present invention.

The Two References Are Incompatible

Appellants submit that one of ordinary skill in the art would have been prevented from

deriving the claimed invention from O'Leary and Koreeda because the two references teach

fundamentally different architectures and are incompatible.

It appears that the Examiner believes that the wallet 215 of O'Leary can be implemented

in the service center 7 of Koreeda, which allegedly corresponds to the claimed agent device, to

satisfy all of the claimed elements of the agent device. However, the system of O'Leary, and in

particular, the wallet 215 thereof, is implemented in such a different way with respect to the

system disclosed in Koreeda that the two references could not have been combined by one

skilled in the art.

The wallet 215 of O'Leary, as detailed above, provides the sole and exclusive path for

communication between a user workstation 200 and a merchant 255. As is clear from the two

embodiments in Figs. 2 and 3, all communication lines between the user and merchant <u>pass</u>

<u>through a wallet 215 (2C-2G; 3C-3G)</u>, for web shopping, purchasing and paying for a

transaction. This function permits a single focal point for all consumer activity. In addition, the wallet has a conventional form filling function for allowing a transaction to be completed directly between a workstation and a merchant site (i.e., via a <u>single line of communication</u>). However, an important feature of O'Leary is that the wallet is the sole communications intermediary between a user workstation 200 and a merchant site 255 for all purposes, including shopping, purchasing and payment. (see description of O'Leary above).

In contrast, Koreeda teaches that there are <u>two separate lines of connection from the user system 5</u>: one being the link via network 4 between a user system 5 and a merchant site 2 and the other being the link via network 6 between a user system 5 and a settlement means 13. In Koreeda, a user system 5 first accesses a merchant site at an on-line shopping mall via one <u>network 4 for reviewing and purchasing products offered for sale by the merchant</u>. Then, the user system 5 must connect to a service center 7 for consummating the purchase of a product via a <u>separate settlement network 6, by sending product data, personal data and settlement data</u> (see description of Koreeda above). That group of data, especially the product data, must originate at the user system 5 and is not automatically provided via the service center 7. The service center 7 of Koreeda transmits the product data, personal data, and the order data approved by an approval center (for settlement), to the merchant sites 2 after approval.

Because O'Leary uses a <u>single path</u> through a wallet 215 and can get the product information in its role as intermediary, and because Koreeda must use <u>parallel and independent paths</u>, only one of which is through a service center 7, the two systems would not be viewed as compatible. Moreover, one of ordinary skill would not consider placing the wallet at the service

center location, because there exists a separate network 4 for communication between the user

and the merchant.

Because of this fundamental difference in function of the wallet 215 in O'Leary and the

service center 7 in Koreeda, the communication that occurs between a the alleged elements that

correspond to the claimed user device, agent device, and settlement device in Koreeda and

O'Leary is so different that one of ordinary skill in the art would not have been enabled to

practice the claimed invention by combining Koreeda with O'Leary since these two references

clearly operate in completely different manners, as detailed above.

A2. Even if Combined Koreeda and O'Leary Do Not Suggest the Use of ID
Information as a Purchase Instruction

Claim 1 recites that the user device includes a first purchase-instruction sending means

for sending ID (identification) information of a user, as a first <u>purchase instruction, together with</u>

<u>information regarding the product input by the purchase-instruction inputting means. Koreeda</u>

<u>sends no user ID information as a purchase instruction</u>. Purchases are made separately via

network 4 and only settlement is accomplished through network 6 via service center 7.

Moreover, not even the settlement operation employs user ID information. Instead, Koreeda

sends personal data directly as part of the data package 21. Thus, there is no need for user ID

information.

As earlier noted, O'Leary uses the wallet 215 as the sole portal to merchant sites.

O'Leary teaches that a user can access a wallet 215 by downloading , or by selecting a button on

a browser 210, and can access other open browser windows (col. 9, lines 32-61). As explained at

col. 15, lines 19-65, the user initiates the process by logging onto the Internet, launching the

browser and selecting the wallet 215, which may have a list of favorite links. O'Leary does

teach that a certification process 205 is used to identify the user to the wallet, including the use

of a user ID and password. However, this is a separate certification and is not a "purchase

instruction" as claimed, as it is not accompanied by information regarding a product, as claimed.

A3. Even if Combined, Koreeda and O'Leary do not disclose or suggest an "agent device" that responds to user "ID information"

In the Office Action dated November 30, 2006, the Examiner cited Koreeda for a

teaching of an on-line shopping system comprising "at least one new device (workstation)", "an

agent device (service center)" and "settlement device (approval center)". However, the

Examiner expressly acknowledged that Koreeda fails to disclose (1) a user information storage

means, (2) a user-information extraction means, and (3) a second-purchase instruction sending

means, as specifically claimed. In addition to these three express limitations, Appellants also

submitted that the agent device does not teach a "purchase instruction receiving means" for

receiving a purchase instruction <u>sent from</u> the first purchase instruction sending means to the

user device. A primary basis for these assertions is focused on the claimed user ID information.

Clearly, in Koreeda, there is no use of user ID information in the service center 7, as

already noted. None is sent by the user system 5 and none is received by the service center 7.

The data 21 that is transmitted by user system 5 does not include user ID information. As

acknowledged by the Examiner, there is no storage of user ID information in connection with

user information and settlement means information.

In O'Leary, any ID information sent by the workstation 200 to the wallet 215 is simply

used to provide a certification. There is no teaching or suggestion that the user ID information is

stored <u>in connection with</u> user information and settlement means information. Such storage is

not even inherent, as the clear disclosure in O'Leary is that the users information is accessed to

populate forms when the merchant site recognizes the user as a PPP enhanced wallet, as

disclosed at col. 15, lines 54-60. Alternatively, a user may command such population with a

button, but there is no extraction on the basis of ID information, as claimed.

Thus, contrary to the Examiner's belief, O'Leary does not satisfy the deficiencies in

Koreeda and O'Leary's "wallet 215" is not an agent device with all the claimed features.

Appellants respectfully submit that all of the features in O'Leary are directed to a system

and method for effectuating Electronic funds Transfer credit messages. These features include a

Payment Portal Processor (PPP), an Internet Pay Anyone (IPA) Account, a Virtual Private

Lockbox (VPL) and an associated Account Reporter, the existing EFT networks, and a cash card

for accessing a VPL or IP secure portal for accessing (linking to) either the user's Demand

Deposit Account (DDA) or an IPA account. Consumers can use a PPP enhanced Wallet to fund

their account, shop on the web, pay bills, pay anyone, store electronic receipts and transaction

history, and check their recent PPP enhanced Wallet activity. *See Abstract of O'Leary.*

However, none of this functionality is dependent on the transmission from a user system of a

user ID information with product information and the subsequent extraction of user information

and settlement information that is stored in association with the user ID information at the wallet

215.

A4. <u>**The Appellant's attack on the failure of the combination of reference to teach**</u>

<u>**the claimed invention is not an attack on the references individually but on their**</u>

<u>**combination**</u>

In the second Office Action, the Examiner alleged that Appellants were attacking the combined references individually. In response to this argument, Appellants previously argued and presently maintain that the individual references were not being individually attacked in the Amendment dated February 28, 2006; in the February 28th Amendment, Appellants simply responded to specific allegations of the Examiner about what the individual references disclose. In responding directly to the Examiner's assertions, Appellants addressed the specific references that were cited as allegedly satisfying specific limitations. Appellants argued and presently maintain that neither of the applied references, either alone or <u>in combination</u>, satisfy the specific features discussed above.

A5. <u>Applied References Do NOT Teach the Limitations of Claims 2, 5, 6, 12, 13, 16, 20 and 23</u>

With respect to independent claim 6, Appellants submit that this claim is patentable at least based on reasons similar to those set forth above with respect to claim 1. For example, the Examiner has not demonstrated that the applied references, either alone or in combination, satisfy the operation of preregistering ID information of a user, information regarding the user, and information regarding settlement means held by the user in association with each other in a <u>database of the agent device</u>. At least since the Examiner has not demonstrated that the wallet 215 of O'Leary is an <u>agent device having all of the features of the claimed device, specifically, the expressly defined relation to the user ID information</u>, Appellants maintain that claim 6 is patentably distinguishable over the applied references, either alone or in combination.

Appellants submit that independent claim 16 is patentable at least based on reasons similar to those set forth above with respect to claims 1 and 6 (claimed computer device in claim 16 corresponds to the agent device recited in claims 1 and 6).

Appellants submit that independent claims 12, 13, 20 and 23 are patentable at least based on reasons similar to those set forth above with respect to claim 1. Appellants submit that dependent claims 2 and 5 are patentable at least by virtue of their dependencies from claim 1.

B. ***Koreeda in combination with Dogac and Davis do not render clams 7, 9-11, 18 and 22 unpatentable under 35 U.S.C. § 103(a).***

With respect to claim 7, 9-11, 18 and 22, in response to the first office action dated November 30, 2006, Appellants argued that one of ordinary skill in the art would not have been led to combine Davis with Koreeda and/or Dogac, to arrive at the present invention. This position is maintained for purposes of this appeal.

Dogac

The cited and applied portion of Dogac is from an article on current trends in data management technology. The cited portion only discusses agent technology. Agents are programmed so they can perform specific tasks on behalf of their users. Agents are distinguished from other types of software because they are independent entities capable of completing complex assignments without intervention, rather than as tools that must be manipulated by a user. The cited portion of the article talks about mobile agents which have the ability to transfer themselves between the systems that provide an agent server of some kind on a network. This ability lets the mobile agent move to a system that contains an object with which

the object the agent wants to interact, then take the advantage of being in the same host or on the

network as the object.

Davis

Davis relates to indirect and direct speech acts of an individual (human) in a restaurant

inquiring about what form of payment a store may take. The cited passage discusses the

linguistics, efficiency, and inefficiency of speech acts that would lead to an ultimate

determination of what forms of payment a store may take.

During the prosecution of the present case, Appellants' argued that Davis is simply an

article related to pragmatics and linguistics (specifically, Davis relates to responding to indirect

speech acts), whereas Koreeda and Dogac are directed to technical inventions (e.g., Koreeda is

directed to an online shopping system).

Second Office Action

In the second Office Action dated May 24, 2006, in response to the arguments above, the

Examiner alleged:

> In response to Applicants' arguments concerning the §103 rejection
> of claims 7, 10, 11, 18 and 22, specifically Applicants' argument
> that Davis, as "an article related to pragmatics and linguistics", is
> non-analogous art when considered in conjunction with Koreeda
> and Davis, related to technical inventions, Examiner respectfully
> disagrees. (see Applicants' argument, page 25).

> It has been held that the determination that a reference is from a
> non-analogous art is two-fold. First, we decide if the reference is
> within the field of the inventor's endeavor. If it is not, we proceed
> to determine whether the reference is reasonably pertinent to the
> particular problem with which the inventor was involved. *In re*
> *Wood and Eversole*, 202 USPQ 171, 174 (CCPA 1979).

> In the instant case, claimed language related to determining the
> merchant-specified settlement means and Davies was brought in

for the limited purpose of demonstrating that determining and/or inquiring the settlement means accepted by a specified merchant is old and well known in the art. While Davies is a textbook related to linguistics, the fact that a textbook published ten years prior to the Applicants' invention dedicated a section to contacting merchants to inquire about acceptable settlement means, such as accepted credit cards, should demonstrate that such inquiries and/or determinations are old and well known in the art.

Furthermore, as inquiring and/or determining the merchant-specified settlement means is old and well known in the art, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Koreeda and Dogac to allow for a standard practice and/or procedure in conducting merchant transactions.

In response, Appellants previously argued and presently maintain that an individual inquiring about what form of payment a store may take, would not have led one of ordinary skill in the art to combine Davis with the other applied references. Further, a combination of the teachings of Davis with the other references clearly would NOT produce a device that contains means for extracting information regarding a product to be purchased from contents of a browsed merchant site and information regarding specified settlement means as Davis simply discusses a human being inquiring about what form of payment a store may take. The Examiner has made an unsupportable leap in contending that one of ordinary skill in the art would have combined these two separate and different references, without any teaching or suggestion of the above in any of the applied references. Therefore, at least based on the foregoing, Appellants maintain that there is no teaching, suggestion, or motivation to combine the applied references, and Appellants submit that claims 7, 10, 11, 18, and 22 are NOT unpatentable over the applied references.

C. ***Koreeda Dogac, and Davis combined with Lomax does not render claims 8 and 19 unpatentable under 35 U.S.C. § 103(a).***

Appellants submit that claims 8, 9 and 19 are patentable at least by virtue of their respective dependencies from independent claims 7 and 18. Lomax does not make up for the deficiencies of the applied references.

Conclusion

In summary, at least based on the foregoing, Appellants submit that the Examiner has not demonstrated that each and every feature of the claimed invention, as set forth in claims 1, 2, 5, 6, 12, 13, 16, 20, and 23, are taught and/or suggested by the applied references. Since each and every limitation is not satisfied by the prior art, Appellants submit that claims 1, 2, 5, 6, 12, 13, 16, 20, and 23 are NOT unpatentable over Koreeda in view of O'Leary.

With respect to claims the rejections of claims 7, 9-11, 18 and 22, Appellants submit that one of ordinary skill in the art would not have been led to combine Davis with Koreeda and/or Dogac at least based on the reasons set forth above. Claims 8, and 19 are patentable at least by virtue of their respective dependencies from independent claims 7 and 18.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Unless a check is submitted herewith for the fee required under 37 C.F.R. §41.37(a) and 1.17(c), please charge said fee to Deposit Account No. 19-4880.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.
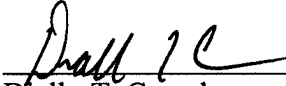
Respectfully submitted,

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WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: September 29, 2008

CLAIMS APPENDIX

CLAIMS 1-24:

LISTING OF CLAIMS:

1. An online shopping system comprising:

at least one user device which is connected onto Internet and for reading a merchant site on the Internet;

an agent device which is connected to said at least one user device and the merchant site, relays and sends a purchase instruction from said at least one user device to the merchant site; and

a settlement device which is connected to said agent device, and settles an account for a product purchased in accordance with the purchase instruction sent from said at least one user device,

said at least one user device including

purchase-instruction inputting means for inputting an instruction for purchasing a product on sale in the merchant site, and

a first purchase-instruction sending means for sending ID (identification)

information of a user, as a first purchase instruction, together with information regarding

the product input by said purchase-instruction inputting means to said agent device, and

said agent device including

user-information storage means for storing the ID information, user information regarding the user, and information regarding settlement means held by the user, in association with each other,

purchase-instruction receiving means for receiving the first purchase instruction sent from said first purchase instruction sending means,

user-information extraction means for searching said user-information storage means for user information based on the ID information of the user which is included in the first purchase-instruction, and extracting corresponding information regarding the user and corresponding information regarding the settlement means, when said purchaseinstruction receiving means receives the first purchase instruction,

second purchase-instruction sending means for sending, as a second purchase instruction, information regarding the product and being included in the first purchaseinstruction received by said purchase-instruction receiving means, and information regarding the user and being extracted by said user-information extraction means, to the merchant site, and

settlement requesting means for requesting said settlement device for settling an account for the purchased product, based on the information regarding the product and being included in the first purchase instruction received by said purchase-instruction receiving means and the information regarding the settlement means of the user and being extracted by said user-information extraction means.

2. The online shopping system according to claim 1, wherein:

said agent device further includes inquiry means for inquiring whether the settlement

means is valid, based on the information regarding the settlement means of the user which is

extracted by said user-information extraction means; and

said second purchase-instruction sending means for inserting information representing

that inquiring is performed by said inquiry means into the second purchase instruction, and

sending the second purchase instruction to the merchant site.

3. The online shopping system according to claim 1, wherein;

said agent device further includes obtaining means for obtaining convenient-settlement

means, for use only in settling the account for the product purchased in accordance with the first

purchase instruction received by said purchase instruction receiving means, and which differs

from the settlement means of the user; and

said second purchase-instruction sending means inserts information regarding the

obtained convenient settlement means into the second purchase instruction, and sends the second

purchase instruction to the merchant site.

4. The online shopping system according to claim 3, wherein:

said settlement device includes a plurality of settlement devices respectively

corresponding to various types of settlement means;

said obtaining means obtains, as said convenient settlement means, settlement means

corresponding to a type of settlement means which is specified in the merchant site; and

said agent device further includes settlement storage means for storing information

regarding the account for the purchased product between a settlement device corresponding to

the obtained convenient settlement means and the merchant site, and information regarding

settlement of the account for the purchased product between the settlement device which is

requested to settle the account by said settlement requesting means and the user, in association

with each other.

     5. The online shopping system according to claim 1, wherein said agent device and said

settlement device are connected with each other through a private line.

     6. An online shopping method for a user of a user device to purchase a product on sale in

a merchant site, in an online shopping system comprising:

     reading, at said user device which is connected to the Internet, a merchant site on the

Internet;

     replaying and sending, at an agent device connected to said user device and the merchant

site, a purchase instruction sent from said user device to the merchant site;

     settling, at a settlement device connected to said agent device, an account for a product

purchased in accordance with the purchase instruction from said user device;

     pre-registering ID information of the user, information regarding the user, and

information regarding settlement means held by the user, in association with each other in a

database of said agent device;

     inputting an instruction for purchasing a product on sale in the shopping site which is

read by said user device;

     sending, as a first purchase instruction, the ID information of the user together with

information regarding the input product from said user device to said agent device;

searching the database for user information based on the ID information of the user which is included in the first purchase instruction, and extracting corresponding information regarding the user and corresponding information regarding the settlement means, as performed by said agent device which has received the first purchase instruction;

sending, as a second purchase instruction, information regarding the user and being extracted from the database from said agent device to the merchant site, together with information regarding the input product; and

requesting, from said agent device, the settlement device for settling the account for the input product, based on information regarding the settlement means of the user and being extracted from the database.

7. A user device which is connected to Internet, browses a merchant site on the Internet, and sends an instruction for purchasing a product on sale in the merchant site, said user device comprising:

purchase-instruction inputting means for inputting a purchase instruction of a product on sale in the browsed merchant site;

product-information extraction means for extracting information regarding a product to be purchased from contents of the browsed merchant site and information regarding specified settlement means; and

purchase-instruction sending means for sending, as a purchase instruction, the information regarding the product and being extracted by said product-information extraction means and the information regarding the settlement means, together with ID information of a

user, to an agent device which is prepared separately from the merchant site and intermediates in

a purchase process between the merchant site and said user device.

8. The user device according to claim 7, further comprising:

merchant-site determination means for determining whether the merchant site is browsed;

and

instruction-input permission means for permitting, when said merchant-site determination

means determines that the merchant site is browsed, an input of an instruction from said

purchase-instruction inputting means.

9. The user device according to claim 7, wherein said purchase-instruction inputting

means is prepared separately from instruction means included in the contents of the browsed

merchant site.

10. A user device including a memory for storing a program, a processor for executing

the program, an input device for inputting an instruction of a user, a display device for displaying

information, and a communications device for

transmitting/receiving information with a merchant site served up on Internet, wherein

said processor executes the program stored in said memory, thereby:

accessing said merchant site from said communications device, and controlling said

communications device to receive contents of said merchant site;

displaying the contents of the merchant site which are received by said communications

device on said display device;

permitting the user to input an instruction for purchasing a product on sale in the contents

of the merchant site which are displayed on said display device;

extracting information regarding the product to be purchased from the contents of the merchant site displayed on said display device and information regarding specified settlement means; and

controlling said communications device to send, as a purchase instruction, the extracted information regarding the product and the information regarding the settlement means, together with ID information of the user to an agent device, which is prepared separately from the merchant site and intermediates in a product purchase process between said user device and said merchant site.

11. A method for browsing a merchant site served up on Internet using a computer device, and for sending an instruction for purchasing a product on sale in the browsed merchant site, said method comprising:

a step of inputting an instruction for purchasing the product on sale in the browsed merchant site;

a step of extracting information regarding the product to be purchased in the browsed merchant site and information regarding specified settlement means, when the instruction is input; and

a step of sending, as a purchase instruction, the extracted information regarding the product and the information regarding the settlement means, together with ID information of a user, to an agent device which is prepared separately from the merchant site and intermediates in a purchase process between the computer device and the merchant site.

12. An agent device which is connected to a user device for browsing a merchant site served up on Internet, the merchant site, and a settlement device for settling an account for a

product purchased in accordance with a purchase instruction from the user device, said agent

device comprising:

user-information storage means for storing ID information of a user using said user

device, information regarding the user, and information regarding settlement means held by the

user, in association with each other;

purchase-instruction receiving means for receiving, as a first purchase instruction, from

said user device, information regarding the product to be purchased by the user on sale in the

merchant site and the ID information of the user;

user-information extraction means for searching said user-information storage means for

use information based on the ID information included in the first purchase instruction, and

extracting corresponding information regarding the user and corresponding information

regarding settlement means;

inquiry means for inquiring of said settlement device whether the settlement means is

valid, based on the infouuiation regarding the settlement means and being extracted by said user-

information extraction means;

purchase-instruction sending means for sending, as a second purchase instruction, to the

merchant site, the information regarding the user and being extracted by said user-information

extraction means and information representing that inquiring is performed by said inquiry means,

together with the information regarding the product and being included in the first purchase

instruction received by said purchase instruction receiving means; and

settlement requesting means for requesting said settlement device for setting a bill for a

purchased product, based on the information regarding a product and being included in the

second purchase instruction received by said purchase-instruction receiving means and the

information regarding the settlement means and being extracted by said user-information

extraction means.

13. An agent device comprising: a memory for storing a program; a processor for

executing the program; a communications device for transmitting/receiving information with a

merchant site served up on Internet, a user device used by a user purchasing a product on sale

online in the merchant site, and a settlement device for settling an account for a product

purchased in accordance with a purchase instruction from said user device; and a database for

registering ID informationof the user using the user device, information regarding the user, and

infoiuiation regarding settlement means held by the user, and wherein said processor executes

the program stored in said memory, thereby:

controlling said communications device to receive, as a first purchase instruction from

said user device, the ID information of the user together with information regarding a product to

be purchased by the user on sale in the merchant site;

searching the database for user information based on the 1D information included in the

first purchase instruction received by said communications device, and extracting corresponding

information regarding the user and corresponding information regarding settlement means;

controlling said communications device to inquire of said settlement device whether the

settlement means is valid, based on the information regarding the settlement means and being

extracted from the database;

controlling said communications device to send, as a second purchase instruction, the

infoii cation regarding the user and being extracted from the database and information

representing that said settlement means is inquired, together with the information regarding the

product and being included in the first purchase instruction received by said communications

device to the merchant site; and

controlling said communications device to request said settlement device for settling an

account for a purchased product included in the first purchase instruction received by said

communications device, based on the information regarding the settlement means of the user and

being extracted from the database.

14. An agent device which is connected to a user device for browsing a merchant site

served up on Internet, the merchant site, and a settlement device for settling an account for a

product purchased in accordance with a purchase instruction from said user device, said agent

device comprising:

user-information storage means for storing ID information of a user using said user

device, information regarding the user and information regarding settlement means held by the

user, in association with each other;

purchase-instruction receiving means for receiving, as a first purchase instruction from

said user device, the ID information of the user together with information regarding a product to

be purchased by the user, of a plurality of products on sale online in the merchant site;

user-information extraction means for searching said user-information storage means for

user information based on the 1D infoiuiation included in the first purchase instruction, and

extracting corresponding information regarding the user and the corresponding infoiuiation

regarding the settlement means;

obtaining means for obtaining convenient settlement means, for use only in settlement of the account for the product purchased in accordance with the first purchase instruction received by said purchase instruction receiving means, and which differs from the settlement means of the user which is extracted by said user-information extraction means;

purchase-instruction sending means for sending, as a second purchase instruction, the information regarding the user and being extracted by said user-information extraction means, together with the information regarding the product and being included in the first purchase instruction received by said purchase instruction receiving means, to the merchant site; and

settlement requesting means for requesting said settlement device for settlement of an account for the product purchased by the user, based on the information regarding the product and being included in the first purchase instruction received by said purchase-instruction receiving means, and the information regarding the settlement means of the user and being extracted by said user-information extraction means.

15. An agent device comprising: a memory for storing a program; a processor for executing the program; a communications device for transmitting/receiving information with a merchant site served up on Internet, a user device used by a user purchasing a product on sale online in the merchant site, and a settlement device for settling an account for a product purchased in accordance with a purchase instruction sent from said user; and a database for registering ID information of the user using said user device, information regarding the user, and information regarding settlement means held by the user, and wherein said processor executes the program stored in said memory, thereby:

controlling said communications device to receive, as a first purchase instruction, the ID

information of the user, together with information regarding the product to be purchased by the

user on sale in the merchant site, from said user device;

searching said database for user infon cation based on the ID infoiuiation included in the

first purchase instruction received by said communications device, and extracting corresponding

information regarding the user and corresponding information regarding settlement means;

obtaining convenient settlement means, for use only in settlement of the account for the

product purchased by the user in accordance with the first purchase instruction received by said

communications device, and which differs from the settlement means of the user which is

extracted by said user-information extraction means;

controlling said communications device to send, as a second purchase instruction to the

merchant site, the user information extracted from said database and information regarding the

convenient settlement means as settlement means for the account, together with the information

regarding the product and being included in the first purchase instruction received by said

communications device; and

controlling said communications device to request said settlement device for settling the

account for the purchased product included in the first purchase instruction received by said

communications device, based on the information regarding the settlement means of the user and

being extracted from said database.

16. A method executed in a computer device, which is connected to a user device for

reading a merchant site served up on Internet, the merchant site, and a settlement device for

settling an account for a product purchased in accordance with a purchase instruction from said

user device, said method comprising:

a step of pre-registering ID information of a user using said user device, user information

regarding the user, and information regarding settlement means held by the user;

a step of receiving, as a first purchase instruction, ID information of the user together

with information regarding a product to be purchased by the user on sale in the merchant site,

from said user device;

a step of searching said database based on the ID information included in the received

first purchase instruction, and extracting corresponding information regarding the user and

corresponding information regarding the settlement means;

a step of inquiring of said settlement device whether the settlement means is valid, based

on the information regarding the settlement means of the user and being extracted from said

database;

a step of sending, as a second purchase instruction, the information regarding the user and

being extracted from said database and information representing that said settlement means is

inquired, together with the information regarding the product and being included in the received

first purchase instruction, to the merchant site; and

a step of requesting said settlement device for settling an account for the purchased

product included in the received purchase instruction, based on the infoiuiation regarding the

settlement means of the user and being extracted from the database.

17. A method executed in a computer device, which is connected to a user device for

reading a merchant site served up on Internet, the merchant site, and a settlement device for

settling an account for a product purchased in accordance with a purchase instruction from said

user device, said method comprising:

a step of pre-registering, in a database, ID information of a user using said user device,

user information regarding the user, and information regarding settlement means held by the

user, in association with each other;

a step of receiving, as a first purchase instruction, the ID information of the user from

said user device, together with information regarding a product to be purchased by the user on

sale in the merchant site;

a step of searching the database for the user information based on the ID information

included in the received first purchase instruction, and extracting corresponding

informationregarding the user and corresponding infoiwation regarding the settlement means;

a step of obtaining convenient settlement means, for use in settlement of the account for

the product purchased in accordance with the received first purchase instruction, and which

differs from the settlement means of the user and being extracted from said user-

informationextraction means;

a step of sending, as a second purchase instruction, information regarding the user and

being extracted from the database and information regarding the convenient settlement means as

settlement means for settling the account for the product, together with the information regarding

the product and being included in the received first purchase instruction; and

a step of requesting said settlement device for settling the account for the product

included in the received first purchase instruction, based on the information regarding the

settlement means of the user and being extracted from the database.

18. A computer readable recording medium recording a program making a computer device, which is connected onto Internet and capable of browsing a merchant site served up the Internet, function as:

purchase-instruction inputting means for inputting an instruction for purchasing a product on sale in the browsed merchant site;

product-information extraction means for extracting information regarding a product to be purchased and information regarding specified settlement means from contents of the browsed merchant site, when the instruction is input from said purchase-instruction inputting means; and

purchase-instruction sending means for sending, as a purchase instruction, the information regarding the product and being extracted by said product-information extraction means and the information regarding the settlement means, together with ID information of a user, to an agent device, which is prepared separately from the merchant site and intermediates in a purchase process between the user and the merchant site.

19. The computer readable recording medium according to claim 18, wherein the program makes the computer device further function as:

merchant-site determination means for determining whether a merchant site is being browsed; and

instruction-input permission means for permitting an input of an instruction from said purchase-instruction inputting means, when said merchant-site determination means determined that the merchant site is being browsed.

20. A computer readable recording medium recording a program making a computer device, connected to a user device for browsing a merchant site served up on Internet, the

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merchant site, and a settlement device for settling an account for a product purchased in

accordance with a purchase instruction from said user device, function as:

user-information storage means for storing ID information of a user using said user

device, user information of the user, and information regarding settlement means held by the

user, in association with each other;

purchase-instruction receiving means for receiving, as a first purchase instruction from

said user device, the ID information of the user, together with information regarding a product to

be purchased by the user on sale in the merchant site;

user-information extraction means for searching said user-information storage means for

the user information based on the ID information included in the first purchase instruction, and

extracting corresponding information regarding the user and corresponding information

regarding settlement means, when said purchase-instruction receiving means receives a first

purchase instruction;

inquiry means for inquiring of said settlement device whether the settlement means is

valid, based on the information regarding the settlement means of the user and being extracted by

said user-information extraction means;

purchase-instruction sending means for sending, as a second purchase instruction, the

information regarding the user and being extracted by said user-information extraction means

and information representing that inquiring is performed by said inquiry means, together with the

information regarding the product included in the first purchase instruction received by said

purchase-instruction receiving means, to the merchant site;

and

settlement requesting means for requesting said settlement device for settling an account

for a product, based on the information regarding the product and being included in the second

purchase instruction received by said purchase-instruction receiving means, and the information

regarding the settlement means of the user and being extracted by said user- information

extraction means.

21. A computer readable recording medium recording a program which makes a

computer device, which is connected to a user device for browsing a merchant site served up on

Internet, the merchant site, and a settlement device for settling an account for a product

purchased in accordance with a purchase instruction from said user device, function as:

user-information storage means for storing ID information of a user using said user

device, user information of the user, and information regarding settlement means held by the

user, in association with each other;

purchase-instruction receiving means for receiving, as a first purchase instruction, the ID

information of the user, together with information regarding a product to be purchased by a user

on sale in the merchant site, from said user device;

user-information extraction means for searching said user-information storage means for

user information based on the ID infoiuiation of the user and being included in the first purchase

instruction, and extracting corresponding information regarding the user and information

regarding the settlement means, when said purchase-instruction receiving means receives the

first purchase instruction;

obtaining means for obtaining convenient settlement means, for use only in settlement of

an account for a product purchased in accordance with the first purchase instruction received by

said purchase-instruction receiving means, and which differs from the settlement means of the

user extracted by said user-information extraction means;

purchase-instruction sending means for sending, as a second purchase instruction, the

information regarding the user extracted by said user-information extraction means, and

information regarding said convenient settlement means as settlement means for settling an

account for a product, together with the information regarding the product included in the first

purchase instruction received by said purchase instruction receiving means; and

settlement requesting means for requesting said settlement device for settling an account

for a purchased product, based on the information regarding the product and being included in

the first purchase instruction received by said purchase instruction receiving means, and the

information regarding the settlement means of the user and being extracted by said user-

information extraction means.

22. A program data signal embodied in a carrier wave and transmitted through a

communications path, said signal making a computer device, which is connected to Internet and

can browse a merchant site served up on Internet, function as:

purchase-instruction inputting means for inputting an instruction for purchasing a product

on sale in the browsed merchant site;

product-information extraction means for extracting information regarding a product to

be purchased and information regarding specified settlement means from contents of the browsed

merchant site; and

purchase-instruction sending means for sending, as a purchase instruction, the

information regarding the product and being extracted by said product information extraction

means and the information regarding the settlement means, together with ID information of a corresponding user to an agent device which is prepared separately from the merchant site and intermediates in a purchase process between the user and the merchant site.

23. A program data signal embodied in a carrier wave and transmitted through a communication path, said signal making a computer device, which is connected to a user device for browsing a merchant site served up on Internet, the merchant site, and a settlement device for settling an account for a product purchased in accordance with a purchase instruction from said user device, function as:

user-information storage means for storing ID information of a user using said user device, user information of the user, and information regarding settlement means held by the user, in association with each other;

purchase-instruction receiving means for receiving, as a first purchase instruction, the ID information of the user together with information regarding a product to be purchased by a user on sale in the merchant site, from said user device;

user-information extraction means for searching said user-information storage means for user information based on the ID information included in the first purchase instruction, and extracting corresponding information regarding the user and information regarding the settlement means, when said purchase-instruction receiving means receives the first purchase instruction;

inquiry means for inquiring of said settlement device whether the settlement means is valid, based on information regarding settlement means of the user extracted by said user-infoiuiation extraction means;

purchase-instruction sending means for sending, as a second purchase instruction, the

infoiiuation regarding the user and being extracted by said user-information extraction means

and information representing that inquiring is performed by said inquiry means, to the merchant

site; and

settlement requesting, means for requesting said settlement device for settling an account

for a purchased product, based on the information regarding the product and being included in

the second purchase instruction received by said purchase-instruction receiving means and the

information regarding settlement means of the user extracted by said user-information extraction

means.

24. A program data signal embodied in a carrier wave and transmitted through a

communications path, said signal making a computer device, which is connected to a user device

for browsing a merchant site served up on Internet, the merchant site, and a settlement device for

settling an account for a product purchased in accordance with a purchase instruction from said

user device, function as:

user-information storage means for storing ID infotr ation of a user using said user

device, user information of the user, and information regarding settlement means held by the

user, in association with each other;

purchase-instruction receiving means for receiving, as a first purchase instruction, the ID

information of the user together with information regarding a product to be purchased by the user

on sale in the merchant site, from said user device;

user-information extraction means for searching said user-information storage means for

the user information based on the ID information of the user included in the first purchase

instruction, and extracting corresponding information regarding the user and corresponding

information regarding the settlement means, when said purchase instruction receiving means

receives the first purchase instruction;

obtaining means for obtaining convenient settlement means, for use only in settling an

account of a product purchased in accordance with the first purchase instruction received by said

purchase instruction receiving means, and which differs from the settlement means of the user

extracted by said user-information extraction means;

purchase-instruction sending means for sending, as a second purchase instruction, the

information regarding the user extracted by said user-information extraction means and the

information regarding said convenient settlement means as settlement means for settling the

account for the purchased product, together with the information regarding the product included

in the first purchase instruction received by said purchase-instruction receiving means, to the

merchant site; and

settlement requesting means for requesting said settlement device for settling the account

for the purchased product, based on the information regarding the product included in the first

purchase instruction received by said purchase-instruction receiving means and the information

regarding the settlement means of the user extracted by said user information extraction means.

EVIDENCE APPENDIX:

NONE.

<u>RELATED PROCEEDINGS APPENDIX</u>

NONE.